a protein useful in alleviating said ocular wound, whereby said exogenous nucleic acid is expressed in said ocular tissue.

REMARKS

Independent claims 13 and 22, and claims depending therefrom, have been amended herein to address the concerns of the Examiner stated in the Advisory Action of January 19, 2002. Specifically, the claims have been amended to recite a method of "alleviating the degeneration of ocular cells" which comprises "directly contacting" an ocular cell *in situ* with an exogenous nucleic acid, under conditions permissive for the "direct" uptake of the exogenous nucleic acid, as suggested by the Examiner. Similarly, new claims 23 and 24 incorporate the terms and phrases suggested by the Examiner. Support for the amended and new claims can be found throughout the specification, for example, at pages 12, 15, and 16. Thus, no new matter has been added.

In view of the new issues raised by Examiner David Nguyen in the telephone interview of February 11, 2002, Applicant invites the reopening of examination as suggested by the Examiner, and consideration of the remarks and amendments herein.

Applicants greatly appreciate the opportunity provided by Examiners David Nguyen and Quang Nguyen to discuss the pending claims, and thank the Examiners for their time and thoughtful comments.

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CONCLUSION

In view of the foregoing remarks and amendments, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, and submits that the claims pending in this application are in conditions for allowance. Issuance of a formal Notice of Allowance is respectfully requested.

Respectfully submitted,

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MARKED-UP VERSION OF THE AMENDED AND ADDED CLAIMS

13. **(Once Amended)** A method of [treating a genetic ocular disease comprising incorporating] alleviating the degeneration of ocular cells, said method comprising directly contacting an ocular cell *in situ* with an exogenous nucleic acid [into an *in situ* ocular cell] under conditions permissive for the direct uptake of said exogenous nucleic acid, said exogenous nucleic acid encoding a protein associated with said ocular disease, whereby said exogenous nucleic acid is expressed in said ocular cell.

14. The method of claim 13, and wherein said genetic ocular disease is autosomal retinitis pigmentosa.

15. The method of claim 13, and wherein said genetic ocular disease is autosomal dominant retinitis punctata albescens.

16. The method of claim 13, and wherein said genetic ocular disease is butterfly-shaped pigment dystrophy of the fovea.

17. The method of claim 13, and wherein said genetic ocular disease is adult vitelliform macular dystrophy.

18. The method of claim 13, and wherein said genetic ocular disease is Norrie's disease.

19. The method of claim 13, and wherein said genetic ocular disease is blue cone monochromasy.

20. The method of claim 13, and wherein said genetic ocular disease is choroideremia.

21. The method of claim 13, and wherein said genetic ocular disease is gyrate atrophy.

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22. **(Once Amended)** A method of [treating an ocular disease comprising incorporating] alleviating the degeneration of ocular cells, said method comprising directly contacting an ocular cell *in situ* with an exogenous nucleic acid [into an *in situ* ocular cell] under conditions permissive for the direct uptake of said exogenous nucleic acid, said exogenous nucleic acid encoding a protein associated with said ocular disease, whereby said exogenous nucleic acid is expressed in said ocular cell, wherein said disease is lysosomal storage disease.

23. **(New)** A method of alleviating an ocular wound after surgery, said method comprising directly contacting an exogenous nucleic acid and an ocular cell *in situ* under conditions permissive for the direct uptake of said exogenous nucleic acid by said ocular cell, whereby said exogenous nucleic acid is expressed in said ocular tissue.

24. **(New)** A method of alleviating an ocular wound, said method comprising directly contacting an exogenous nucleic acid and an ocular cell *in situ* under conditions permissive for the direct uptake of said exogenous nucleic acid by said ocular cell, said exogenous nucleic acid encoding a protein useful in alleviating said ocular wound, whereby said exogenous nucleic acid is expressed in said ocular tissue.